

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/01/2024

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SIDI MOUHAMED DEIDE, et al.,

Plaintiffs,

v.

EDWIN J. DAY, et al.,

Defendants.

Case No. 23-cv-3954 (NSR-VR)

**STIPULATION AND ORDER**

WHEREAS, on July 19, 2024, the Court issued an Opinion & Order dismissing without prejudice Plaintiffs' First Amended Complaint, denying as moot Plaintiffs' Motion for Class Certification, and ordering that Plaintiffs may file a Second Amended Complaint by August 19, 2024;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for Plaintiffs Sidi Mouhamed Deide, et al., and Defendants Edwin J. Day, et al., and ORDERED by the Court, that:

1. In the event that Plaintiffs do not file a Second Amended Complaint, their deadline to alert the Court of its intention to move for attorneys' fees and costs pursuant to Federal Rule of Civil Procedure 54(d) and to serve any such motion on Defendants shall be September 6, 2024;

2. Defendants shall serve, but not file, any response to Plaintiffs' motion for attorneys' fees and costs by October 7, 2024;

3. Plaintiffs shall serve any reply in support of their motion for attorneys' fees and costs, and the parties shall file their respective papers, by October 22, 2024.

Dated: July 31, 2024

NEW YORK CIVIL LIBERTIES  
UNION FOUNDATION

/s/ Terry Ding

Terry Ding  
Amy Belsher  
Ifeyinwa Chikezie  
Guadalupe Victoria Aguirre  
Christopher Dunn  
125 Broad Street, 19th Floor  
New York, N.Y. 10004  
212-607-3300  
[tding@nyclu.org](mailto:tding@nyclu.org)

*Counsel for Plaintiffs*

BLEAKLEY PLATT & SCHMIDT, LLP

/s/ 

David Chen  
One North Lexington Avenue  
White Plains, N.Y. 10601  
914-949-2700  
[dchen@bpslaw.com](mailto:dchen@bpslaw.com)

*Counsel for Defendants*

SO ORDERED:



---

NELSON S. ROMÁN  
United States District Judge

Dated: August 1, 2024  
White Plains, NY